

ORIGINAL

Application No. **85009**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office

MAR 27 2015

Returned to applicant for correction

APR 13 2015

Corrected application filed

Map filed

The applicant The Moapa Band of Paiute Indians1 Lincoln Street

Street Address or PO Box

of Moapa

City or Town

Nevada, 89025

State and ZIP Code

hereby make(s) application for permission to change the

☒ Point of diversion☒ Place of use☒ Manner of use☒ of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Nevada State Engineer Permit 734831. The source of water is The Muddy River

Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed .4 cfs

Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Commercial/Power

Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use

4. The water heretofore used for Irrigation and Domestic

If for stock, state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)

Lot 19 of Section 6, Township 15 South, Range 66 East. The specific coordinates are as follows:
N=26944717.170, E=928580.571, LAT=36-39-51.06, LONG=114-39-16.20.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

SW ¼ SE ¼, Section 26, Township 14 South, Range 65 East, M D B & M or at a point from which the NE corner of
Section 26, Township 14 South, Range 6 East, M D B & M bears North 29° 44' 20" East, a distance of 5,187.12 feet.

California Wash
13-2/8
CI

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

See Attachment "A" hereto.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

A portion of SW ¼ SE ¼, S ½ SW ¼ Section 25, S ½ SE ¼ Section 26, NE ¼ Section 35, S ½ NE ¼, NW ¼ NE ¼ NW ¼, E ½ SW ¼, SE ¼ Section 1 Township 15 South, Range 65 East, W ½ NW ¼ Section Township 15 South, Range 66 East all M D B & M, 646 acres total.

9. Proposed use will be from 10/1/2015 to 12/31/2017 of each year.
Month and Day Month and Day

10. Existing use permitted from January 1 to December 1 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

Intake apparatus, pumping apparatus, pipeline, and storage tank, as reflected in Attachment "B" hereto.

12. Estimated cost of works \$400,000

13. Estimated time required to construct works One month

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Twelve to fifteen months

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

See Attachment "C" hereto.

16. Miscellaneous remarks:

This application is filed to pursuant to the Lease of water from the Muddy Valley Irrigation Company to the Moapa Band of Indians.

d_daboda@yahoo.com

E-mail Address

702 865 2787

Phone No.

Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Darren Daboda

Type or print name clearly

Darren Daboda

Signature, applicant or agent

Moapa Band of Paiute Indians

Company Name

1 Lincoln Street

Street Address or PO Box

Moapa, NV 89025

City, State, ZIP Code

ATTACHMENT "A"

EXHIBIT A
LEGAL DESCRIPTION
AREA "A"

BEING A PORTION OF SECTION 29, 30, 31 AND 32, TOWNSHIP 14 SOUTH, RANGE 66 EAST, MDM, CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 30; THENCE NORTH 89°25'04" EAST, A DISTANCE OF 1436.83 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 30, TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 168 (400 FOOT TOTAL WIDTH);

THENCE SOUTH 48°36'46"EAST, A DISTANCE OF 5704.09 FEET ALONG SAID RIGHT OF WAY LINE TO THE NORTHWESTERLY LINE OF A 100 FOOT WIDE POWER TRANSMISSION RIGHT OF WAY, BLM CASE NUMBER CC020948;

THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 37°04'31"WEST, A DISTANCE OF 2184.73 FEET;

THENCE LEAVING SAID RIGHT OF WAY SOUTH 52°55'29"EAST, A DISTANCE OF 805.00 FEET;

THENCE NORTH 35°52'16"EAST, A DISTANCE OF 342.48 FEET;

THENCE SOUTH 53°42'35"EAST, A DISTANCE OF 569.34 FEET;

THENCE SOUTH 35°59'23"WEST, A DISTANCE OF 350.27 FEET;

THENCE SOUTH 52°55'29"EAST, A DISTANCE OF 862.23 FEET;

THENCE SOUTH 00°03'52"WEST, A DISTANCE OF 381.28 FEET;

THENCE SOUTH 37°04'31"WEST, A DISTANCE OF 1130.29 FEET;

THENCE SOUTH 00°38'40"WEST, A DISTANCE OF 850.54 FEET;

THENCE SOUTH 44°45'51"EAST, A DISTANCE OF 1962.12 FEET;

THENCE NORTH 06°23'51"EAST, A DISTANCE OF 5126.56 FEET TO SAID SOUTHWESTERLY RIGHT OF WAY LINE;

THENCE SOUTH 48°36'46"EAST, A DISTANCE OF 281.21 FEET ALONG SAID RIGHT OF WAY LINE A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5,200.03 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°33'05", AN ARC LENGTH OF 322.32 FEET TO A NON TANGENT POINT, A RADIAL LINE TO SAID POINT BEARS SOUTH 37°50'09" WEST;

THENCE LEAVING SAID RIGHT OF WAY, SOUTH 06°23'51"WEST, A DISTANCE OF 4,976.41 FEET TO THE SOUTH LINE OF SAID SECTION 32;

THENCE SOUTH 89°57'27"WEST, A DISTANCE OF 934.04 FEET ALONG SAID SOUTH LINE;

THENCE LEAVING SAID SOUTH LINE, NORTH 44°41'55"WEST, A DISTANCE OF 2027.18 FEET;

THENCE NORTH 00°38'40"EAST, A DISTANCE OF 1655.46 FEET;

THENCE NORTH 52°55'29"WEST, A DISTANCE OF 1704.35 FEET TO THE SAID NORTHWESTERLY LINE OF A 100 FOOT WIDE, POWER TRANSMISSION LINE RIGHT OF WAY;

THENCE ALONG SAID RIGHT OF WAY SOUTH 36°46'01"WEST, A DISTANCE OF 1886.98 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 31;

THENCE SOUTH 89°09'42"WEST, A DISTANCE OF 125.51 FEET ALONG SAID SOUTH LINE;

THENCE LEAVING SAID SOUTH LINE NORTH 00°19'42"WEST, A DISTANCE OF 2678.19 FEET TO THE NORTH LINE OF SAID SECTION 31;

THENCE NORTH 00°24'30"WEST, A DISTANCE OF 663.33 FEET

THENCE SOUTH 87°42'59"WEST, A DISTANCE OF 1702.40 FEET TO THE WEST LINE OF THE EAST HALF (E 1/2) OF GOVERNMENT LOT 4 OF SAID SECTION 30;

THENCE NORTH 00°03'13"WEST, A DISTANCE OF 3,382.90 FEET TO THE SOUTH LINE OF GOVERNMENT LOT 1 OF SAID SECTION 30;

THENCE SOUTH 89°09'48"WEST, A DISTANCE OF 671.04 FEET ALONG SAID LINE TO THE WEST LINE OF SAID GOVERNMENT LOT 1;

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THENCE NORTH 00°04'44"EAST, A DISTANCE OF 1360.16 FEET ALONG SAID LINE TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 651.69 ACRES MORE OR LESS.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL

AREA "B"

COMMENCING AT NORTHWEST CORNER OF SAID SECTION 30; THENCE NORTH 89°25'04" EAST, A DISTANCE OF 2,184.51 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 30, TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF A POWER TRANSMISSION LINE (100 FEET TOTAL WIDTH), BLM CASE NUMBER CC020948, SAID POINT BEING THE POINT OF BEGINNING;

THENCE LEAVING SAID RIGHT OF WAY, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, NORTH 89°25'03"EAST, A DISTANCE OF 490.23 FEET, TO THE NORTH QUARTER CORNER OF SAID SECTION 30;

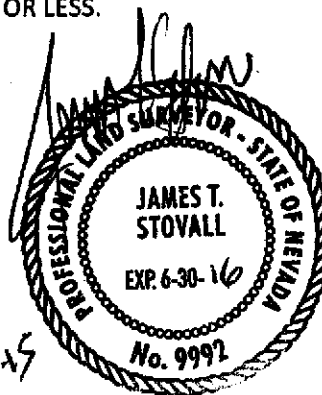
THENCE NORTH 89°25'18"EAST A DISTANCE OF 2678.12 FEET, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 30 TO THE NORTHEAST CORNER OF SAID SECTION 30; THENCE NORTH 89°23'10"EAST A DISTANCE OF 2674.40 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 29 TO THE NORTH QUARTER CORNER OF SAID SECTION 29;

THENCE SOUTH 00°52'41" EAST, A DISTANCE OF 5,281.09 FEET ALONG THE CENTER SECTION LINE OF SAID SECTION 29 TO THE SAID NORTHEASTERLY TRANSMISSION LINE RIGHT OF WAY;

THENCE NORTH 48°36'46"WEST A DISTANCE OF 7,895.10 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 354.12 ACRES, MORE OR LESS.

| | |
|---------------|--|
| PURPOSE: | MOAPA SITE DESCRIPTION |
| PREPARED BY: | JAMES TODD STOVALL 6030 SO. JONES BLVD. #100 LAS VEGAS, NEVADA 89118 |
| JOB NAME: | MOAPA LYTTLE |
| JOB NUMBER: | FRT-14-027 |
| FILE NAME: | LEASE AREA 1-15-15 |
| DATE PREPARED | JANUARY 8, 2015 |



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Attachment B

The Aiya Solar Project (Project) is an up-to 100 megawatt (MW) alternating current solar photovoltaic (PV) electricity generation facility located entirely on the Moapa River Indian Reservation and specifically on lands held in trust by Bureau of Indian Affairs for the Moapa Band of Paiute Indians. The proposed 230 kilovolt (kV) generation-tie transmission line required for interconnection may be located on Tribal lands, private lands and/or Federal lands administered and managed by BLM.

The Project would be located in Township 14 South, Range 66 East, Sections 29, 30, 31, and 32 Mount Diablo Meridian, Nevada. The Project would generate electricity using First Solar's PV panels. Also included would be inverters, a collection system, an on-site substation to step-up the voltage to transmission-level voltage at 230 kV, an operations and maintenance building, and other related facilities. A single overhead 230 kV generation-tie transmission line, approximately 1.5 to 3 miles long, would connect the solar project to either NV Energy's Reid-Gardner 230kV substation or the proposed Reid Gardner Collector Substation. The Project will require .69 cfs of water for use during its construction period, to occur between October 2, 2015, and December 31, 2017.

Proposed Project Works for the 15-month Construction Period of the Aiya Project

A new intake would be installed in the Muddy River and a new temporary pipeline, approximately 2 miles in length, would be constructed alongside Reservation Road. The proposed pipeline route is shown in Attachment A. From the intake, the pipeline travels north on a dirt road until it meets Reservation Road. The route continues north paralleling Reservation Road to the temporary stand tank on the Project site.

The new intake would be a temporary structure to be used during the 12 to 15 month construction period of the Aiya Project. The structure would most likely consist of a 2 foot by 2 foot pad with a mounted centrifugal pump capable of providing adequate capacity (up to 500 gpm) and head required to get water from the Muddy River to the stand tank located at the project site above via the proposed pipeline (*see* Map in Attachment A). The pumping apparatus would be located adjacent to the Muddy River with a flexible and or rigid pipeline located in the Muddy River. The pipeline located adjacent to Reservation Road would also be a rigid pipeline.

The total cost of the proposed works would be approximately \$400,000.00 for construction, with some ongoing costs for maintenance and repair-related activity for the duration of the 15-month construction period. It would take approximately 30 days to construct the proposed works, which would take place immediately following conclusion of the National Environmental Policy Act process for the Aiya Project, anticipated to occur in September 2015. Upon completion of the above-described works, water would be immediately put to use in support of the construction of the Aiya Project. Consequently, the anticipated use date of the water is from October 1, 2015, through December 31, 2017.

Attachment "C"

The Aiya Project is an up-to 100 megawatt (MW) alternating current solar photovoltaic (PV) electricity generation facility located entirely on the Moapa River Indian Reservation and specifically on lands held in trust by BIA for the Moapa Band. The proposed 230 kilovolt (kV) generation-tie transmission line required for interconnection may be located on Tribal lands, private lands and/or Federal lands administered and managed by BLM.

The Project would be located in Township 14 South, Range 66 East, Sections 29, 30, 31, and 32 Mount Diablo Meridian, Nevada. The generation facility would generate electricity using First Solar's PV panels. Also included would be inverters, a collection system, an on-site substation to step-up the voltage to transmission-level voltage at 230 kV, an operations and maintenance building, and other related facilities. A single overhead 230 kV generation-tie transmission line, approximately 1.5 to 3 miles long, would connect the solar project to either NV Energy's Reid-Gardner 230kV substation or the proposed Reid Gardner Collector Substation, which is under development by NV Energy. The Aiya Solar Project will require .4 cfs during its construction period, anticipated to occur between October 2, 2015, and December 31, 2017.

Proposed Project Works for the 15-month Construction Period of the Aiya Project

A new intake would be installed in the Muddy River and a new pipeline, approximately 2 miles in length, would be constructed alongside Reservation Road. The proposed pipeline route is shown in Attachment "B". From the intake, the pipeline travels north on a dirt road until it meets Reservation Road. The route continues north paralleling Reservation Road to the temporary stand tank on the Project site.

The new intake would be a temporary structure to be used during the 15-month construction period of the Aiya Project. The structure would most likely consist of a 2 foot by 2 foot pad with a mounted centrifugal pump capable of providing adequate capacity (up to 500gpm) and head required to get water from the Muddy River to the stand tank located at the project site above via the proposed pipeline (see Figure ____). The pumping apparatus would be located adjacent to the Muddy River with a flexible and or rigid pipeline located in the Muddy River. The pipeline located adjacent to Reservation Road would be a rigid pipeline.

The total cost of the proposed works would be approximately \$400,000. It would take approximately 30 days to construct the proposed works, and would take place immediately following conclusion of the NEPA process for the Aiya Project, anticipated in September of 2015. Upon completion of the above-described works, water would be immediately put to use in support of the construction of the Aiya Project. Consequently, the anticipated use date of the water is October 1, 2015.

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